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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/566,908	02/03/2006	Ikuo Tajima	IIZU:019	4571
37013 7590 06/25/2007 ROSSI, KIMMS & McDOWELL LLP. P.O. BOX 826 ASHBURN, VA 20146-0826			EXAMINER IZAGUIRRE, ISMAEL	
			ART UNIT 3765	PAPER NUMBER
			MAIL DATE 06/25/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

87

Office Action Summary	Application No.	Applicant(s)	
	10/566,908	TAJIMA, IKUO	
	Examiner	Art Unit	
	Ismael Izaguirre	3765	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>2/3/06</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Oath/Declaration

It does not properly state that the person making the oath or declaration acknowledges the duty to disclose to the Office all information known to the person to be material to patentability as defined in 37 CFR 1.56. In this case the words "which is material to this application" should be replaced by "which is material to patentability of this application".

SPECIFICATION

Abstract

The abstract of the disclosure is objected to because of its length. An Abstract should be limited to no more than 150. Correction is required. See MPEP § 608.01(b).

CLAIMS

Summary

Claims 1,8,11 and 12 are the independent claims under consideration in this Office Action.

Claims 2-8 and 10 are the dependent claims under consideration in this Office Action.

Claim Rejections - 35 U.S.C. § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 3765

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,2,4 and 5 are rejected under 35 U.S.C. § 102(b) as being anticipated by Tajima et al. (5,809,918).

Tajima et al. '918 teach a main frame comprising an upper horizontal member 3 for attaching a plurality of sewing heads thereto (figure 9, for example) and a horizontal lower frame member 8 for supporting a plurality of sewing tables and bobbin assemblies. These horizontal members are parallel to each other and attached to joint members 2 at the ends of the members (figure 8, for example). A supporting leg section 1 including two vertical legs and cross members for providing rigidity to the leg section are provided for attachment to the upper and lower members and supporting them at the proper height.

Claims 1-3 and 7 are rejected under 35 U.S.C. § 102(b) as being anticipated by Tajima et al. (5,706,747).

Tajima et al. '747 teach a main frame comprising an upper horizontal member 14 for attaching a plurality of sewing heads thereto (figures 2 and 4, for example) and a horizontal lower frame member 16 for supporting a plurality of sewing tables and bobbin assemblies. These horizontal members are parallel to each other and welded to joint members 12 at the ends of the members. A supporting leg section 20, 10 and 18 including vertical legs and cross members for providing rigidity to the leg section are provided for welded attachment to the upper and lower members and supporting them at the proper height.

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tajima et al. '747.

Tajima et al. '747 discloses the invention substantially as claimed. See above for specific explanations of the structural details of this document. Briefly, Tajima et al. '747 teaches a sewing machine assembly including upper and lower members for accommodating thereto heads and bobbin assemblies and where these upper and lower members are welded to joint members. Further, Tajima et al. '747 teach putting the frame pieces together by welding the upper and lower members to the joint members and welding the legs to the frame members. However, Tajima et al. '747 do not suggest transporting the pieces to another location to assemble the pieces.

It would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to construct the sewing machine assembly of Tajima et al. '747 as at least partially welded on one area of a factory and then moving the pieces to an assembly area where further welding or bolting would take place on the supporting pieces or sewing heads and bobbin assemblies. Providing such a distinct assembly

Art Unit: 3765

location would enable a better dust control over the components and perhaps place the assembled machine closer to a shipping location in the factory.

Claims 6 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tajima et al. '918 in view of Chason et al. (2,183,366).

Tajima et al. '918 disclose the invention substantially as claimed. See above for specific explanations of the structural details of this document. Briefly, Tajima et al. '918 teaches a sewing machine assembly including upper and lower members for accommodating thereto heads and bobbin assemblies and where these upper and lower members are welded to joint members. Further, Tajima et al. '918 teach putting the frame pieces together with the leg pieces. However, Tajima et al. '918 do not suggest bolting the pieces of the leg portions to each other for providing an assembly which can be taken apart.

It would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to construct the sewing machine assembly of Tajima et al. '918 as having leg portions that are bolted together. Providing such an assembly would allow the replacement of particular leg components or frame components if they wear out or are damaged.

PERTINENT CITATIONS

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Resta et al. '747 and 405, Aiko and Stutzacker illustrate upper and lower plural sewing machine frames with attached legs. Sakakibara illustrates a leg base arrangement, which is bolted to an upper frame for supporting multiple sewing

Art Unit: 3765


machines. Ishikawa et al. illustrate a sewing machine frame made up of extruded components, which are bolted together.

INQUIRIES

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Izaguirre whose telephone number is (571) 272-4987. The examiner can normally be reached on M-F (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Welch can be reached on (571) 272-4996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Ismael Izaguirre
Primary Examiner
Art Unit 3765